

**§ 1220.115**

(b) Is governed by a Board of directors of agricultural producers representing soybean producers on a national basis;

**§ 1220.115 Net market price.**

The term *net market price* means—

(a) except as provided in paragraph (b) of this section, the sales price, or other value received by a producer for soybeans after adjustments for any premium or discount based on grading or quality factors, as determined by the Secretary; or

(b) For soybeans pledged as collateral for a loan issued under any Commodity Credit Corporation price support loan program, and where the soybeans are forfeited by the producer in lieu of loan repayment, the principal amount of the loan.

[56 FR 31049, July 9, 1991, as amended at 56 FR 42923, Aug. 30, 1991; 57 FR 31095, July 14, 1992]

**§ 1220.116 Part and subpart.**

*Part* means the Soybean Promotion and Research Order and all rules and regulations issued pursuant to the Act and the Order, and the Order itself shall be a “Subpart” of such part.

**§ 1220.117 Plans and projects.**

*Plans and Projects* means promotion, research, consumer information, and industry information plans, studies, or projects pursuant to § 1220.230.

**§ 1220.118 Person.**

The term *person* means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

**§ 1220.119 Producer.**

The term *producer* means any person engaged in the growing of soybeans in the United States who owns, or who shares the ownership and risk of loss of, such soybeans.

**§ 1220.120 [Reserved]**

**§ 1220.121 Promotion.**

The term *promotion* means any action, including paid advertising, technical assistance, and trade servicing activities, to enhance the image or desirability of soybeans or soybean prod-

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ucts in domestic and foreign markets, and any activity designed to communicate to consumers, importers, processors, wholesalers, retailers, government officials, or other information relating to the positive attributes of soybeans or soybean products or the benefits of importation, use, or distribution of soybeans and soybean products.

**§ 1220.122 Qualified State Soybean Board.**

The term *Qualified State Soybean Board* means a State soybean promotion entity that is authorized by State law and elects to be the Qualified State Soybean Board for the State in which it operates pursuant to § 1220.228(a)(1). If no such entity exists in a State, the term *Qualified State Soybean Board* means a soybean producer-governed entity—

(a) That is organized and operating within a State;

(b) That receives voluntary contributions and conducts soybean promotion, research, consumer information, or industry information programs; and

(c) That meets the criteria, established by the Board and approved by the Secretary, relating to the qualifications of such entity to perform its duties under this part as determined by the Board, and is certified by the Board under § 1220.228(a)(2), with the approval of the Secretary.

**§ 1220.123 Referendum.**

The term *Referendum* means a referendum, other than referenda defined in § 1220.106 and § 1220.124, to be conducted by the Secretary pursuant to the Act whereby producers shall be given the opportunity to vote to determine whether the continuance of this subpart is favored by a majority of producers voting.

**§ 1220.124 [Reserved]**

**§ 1220.125 Research.**

The term *research* means any type of study to advance the image, desirability, marketability, production, product development, quality, or functional or nutritional value of soybeans or soybean products, including any research activity designed to identify

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and analyze barriers to export sales of soybeans and soybean products.

**§ 1220.126 Secretary.**

The term *Secretary* means the Secretary of Agriculture of the United States or any other officer or employee of the Department to whom there has been delegated, the authority to act in the Secretary's stead.

**§ 1220.127 Soybean products.**

The term *soybean products* means products produced in whole or in part from soybeans or soybean byproducts.

**§ 1220.128 Soybeans.**

The term *soybeans* means all varieties of *Glycine max* or *Glycine soja*.

**§ 1220.129 State and United States.**

The terms *State* and *United States* include the 50 States of the United States of America, the District of Columbia, and the Commonwealth of Puerto Rico.

**§ 1220.130 Unit.**

The term *unit* shall mean each State, or group of States, which is represented on the Board.

UNITED SOYBEAN BOARD

**§ 1220.201 Membership of board.**

(a) For the purposes of nominating and appointing producers to the Board, the United States shall be divided into 30 geographic units and the number of Board members from each unit, subject to paragraphs (d) and (e) of this section shall be as follows:

Unit	Number of members
Illinois .....	4
Iowa .....	4
Minnesota .....	4
Indiana .....	4
Nebraska .....	4
Ohio .....	4
Missouri .....	3
Arkansas .....	3
South Dakota .....	3
Kansas .....	3
Michigan .....	3
North Dakota .....	3
Mississippi .....	2
Louisiana .....	2
Tennessee .....	2
North Carolina .....	2
Kentucky .....	2
Pennsylvania .....	2
Virginia .....	2

Unit	Number of members
Maryland .....	2
Wisconsin .....	2
Georgia .....	1
South Carolina .....	1
Alabama .....	1
Delaware .....	1
Texas .....	1
Oklahoma .....	1
New York .....	1
Eastern Region (Massachusetts, New Jersey, Connecticut, Florida, Rhode Island, Vermont, New Hampshire, Maine, West Virginia, District of Columbia, and Puerto Rico) .....	1
Western Region (Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Arizona, Washington, Oregon, Nevada, California, Hawaii, and Alaska) .....	1

(b) The Board shall be composed of soybean producers appointed by the Secretary from nominations submitted pursuant to §1220.203. A soybean producer may only be nominated by the unit in which that soybean producer is a resident or producer.

(c) At the end of each three (3) year period, the Board shall review the geographic distribution of soybean production volume throughout the United States and may recommend to the Secretary a modification of paragraph (e) of this section, to best reflect the geographic distribution of soybean production volume in the United States. The Secretary may amend this subpart to make the changes recommended by the Board in levels of productions used to determine per unit representation. A unit may not, as a result of any modifications under this subsection, lose Board seats to which it is entitled at the time this subpart is initially issued unless its average annual production, as determined under paragraph (e)(6) of this section, declines below the levels required for representation, as specified in paragraphs (e) (1) through (5) of this section.

(d) At the end of each three (3) year period, the Secretary shall review the volume of production (minus the volume of production for which refunds have been paid) of each unit provided representation under paragraph (a) of this section, and shall adjust the boundaries of any unit and the number of Board members from each such unit to conform with the criteria set out in paragraphs (e) (1) through (5) of this section.